

JUSTIFICATION FOR ZONING BYLAW AMENDMENT

PURPOSE

The purpose of the bylaw amendment is to ensure that the retained lands always remain in agriculture and that no residential use ever occurs in the future.

BACKGROUND

The original severance application, which was approved, exceeded the normal guidelines because:

- the residence is set back from the road,
- the additional road frontage north of the driveway to the Baily drain does not provide easy access for machinery and often floods,
- the hydro enters the lot to be severed right at the edge of the Baily Drain,
- and the clear area further east next the residence is the only area available for septic should the existing system fail.

The amendment to this application to include an additional 3.5 acres of woodlot was at the specific request of the purchaser who sees no agricultural value in this acreage which is very difficult to access, and is fully treed.

HISTORY

We purchased the property in 1990 from Steven Pineo. Steven's father, Gene, was the original owner of 100 acres and he severed the property into two 50-acre parcels, one for each son. Larry Pineo, Steven's brother, farmed the land at the time of our purchase. He tilled the north field to the edge of the Baily Drain and he tilled the thirty-acre field south of the existing driveway, which is also our driveway. Steven had built a bungalow on the remaining acreage between the drive way and the Baily Drain. The remainder land, including up to the house was left native. For parts of the acreage near the Baily Drain it was mostly swampy wetland. Where the Baily Drain angled to the north presenting a broader field, perhaps 3 ½ acres, it was swampy throughout.

In 1991 we planted lawn around the residence and Kettle Creek Conservation Authority planted 5,000 trees, some along the drive and borders of the fields but mostly in the 3 ½ acre swampy area. Over the years we have planted in total well over 10,000 trees. The trees have allowed the swampy areas to largely dry although there are still small areas that seldom dry completely. On our purchase in 1990 that area was not tilled and its condition suggested that it had not been tilled in some time, if ever.

CONCLUSION

Although the requested size of the lot to be severed exceeds normal guidelines none of the land requested to be severed has ever, to the best of our knowledge, been commercially tilled so no viable farm land will be removed from production.

ATTACHMENTS

Location map showing 8.2 acres subject of this application with dividing line between original application (4.7 acres) and addition of 3.5 acres for this application. Also noting flood area between Baily Drain and driveway and survey sketch to support application.

Prepared by Wayne Kentner, Owner
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